

**Sept.
2004**



A Citizens Guide to the Hudson Yards Draft Environmental Impact Statement



About Our Organizations

Citizens Union of the City of New York, a nonpartisan force for good government for more than 100 years, works to inform and engage the citizens of New York to ensure local and state government values its citizens, addresses critical issues, and operates in a fair, open, and fiscally sound manner. Citizens Union was founded in 1897 to fight the corruption of Tammany Hall and helped elect the first reform mayor, Seth Low, in 1901. Over the years, Citizens Union spearheaded efforts for campaign finance reform, historic preservation, improved voting procedures, City Charter revision, home rule for New York City, and proportional representation. Without Citizens Union, reformers like Fiorello LaGuardia would never have been elected Mayor.

Today, Citizens Union serves as a watchdog for the public interest and an advocate for good government at City Hall and the State Capitol. Working to ensure fair elections, clean campaigns, transparent governing and responsible governance, Citizens Union not only seeks to inform the debate on public issues, but influence the formulation of public policy that affects the lives of all New Yorkers. In a significant step as part of a broader effort to bring reform to the way Albany operates, Citizens Union has recently strengthened the process by which it evaluates and prefers candidates for state legislature.

The Natural Resources Defense Council (NRDC) is a national, non-profit environmental organization with more than 550,000 members. NRDC's lawyers, scientists and other environmental specialists work to protect public health, natural resources and the environment in local, national and international forums. Since its founding in 1970, NRDC has been a vigorous force for environmental protection in the New York region. In addition to its New York City headquarters, NRDC has offices in Washington, D.C., Los Angeles and San Francisco.

The New York Public Interest Research Group (NYPIRG) is New York State's largest student-directed consumer, environmental and government reform organization. We are a nonpartisan, not-for-profit group established to effect policy reforms while training students and other New Yorkers to be advocates. Since 1973, NYPIRG has played the key role in fighting for more than 120 public interest laws and executive orders.

Regional Plan Association (RPA) is an independent regional planning organization that improves the quality of life and the economic competitiveness of the 31-county New York-New Jersey-Connecticut region through research, planning, and advocacy. Since 1922, RPA has been shaping transportation systems, protecting open spaces, and promoting better community design for the region's continued growth. We anticipate the challenges the region will face in the years to come, and we mobilize the region's civic, business, and government sectors to take action.

RPA's current work is aimed largely at implementing the ideas put forth in the Third Regional Plan, with efforts focused in five project areas: community design, open space, transportation, workforce and the economy, and housing. For more information about Regional Plan Association, please visit our website, www.rpa.org.

Introduction

Over the past year, there has been an immeasurable amount of information released publicly about the City/State plans to remake the Far West Side of Midtown Manhattan. Hundreds of newspaper stories, public forums, position papers, economic studies and paid advertisements have aimed to inform or persuade New Yorkers about these plans. While the public relations battle continues, the official public review process is underway and reaching a critical decision point. By the end of the fall, plans will have been officially reviewed by community boards, government agencies, elected officials and the public. Public hearings have already begun, and will continue through the fall. (See Moving Forward at the end of the guide for a schedule of public hearings and reviews.)

At the heart of this review process is a document known as a Draft Environmental Impact Statement, or DEIS. The DEIS is a lengthy analysis (more than 4,000 pages) of the environmental impacts of the proposed plan on surrounding areas and the City as a whole. It defines environmental impacts very broadly, looking at everything from air quality and hazardous materials to traffic and neighborhood character. The document analyzes both immediate impacts and long-term effects, looking ahead to 2025.

The DEIS is designed to educate policy makers and the general public about the implications of the proposed plan. It is currently in draft form, but must be finalized at the end of the review process before construction may begin. While the draft and final versions will reveal negative impacts and propose mitigation measures, they are not binding documents. They are only used to guide policy makers as they finalize project plans and determine what measures will be taken to limit negative impacts. While government is required to attempt to limit negative impacts, it is not illegal for a project to have negative environmental impacts.

The goal of this Citizens Guide to the DEIS is to provide interested New Yorkers with a brief overview of some of the more significant findings in the DEIS. Each of the organizations contributing to this publication has strong opinions on aspects of the plan, and in several places we point out assumptions in the EIS that we find questionable. It is important to note, though, that the DEIS was prepared by supporters of the plan, and attempts to put the best face possible on the results. For a fuller understanding of our positions on the entire plan, please visit our respective websites.

The guide is not meant to be comprehensive. The DEIS describes many issues and details that cannot be summarized here. The full document, as well as many other resources on the project, can be accessed online at <http://www.nyc.gov/html/dcp/html/hyards/eis.html>. We hope that it will be a helpful introduction to the findings of the DEIS and a resource for public participation in the planning process this fall.

Citizens Union

www.citizensunion.org

Natural Resources Defense Council

www.nrdc.org

New York Public Interest Research Group

www.nypirg.org

Regional Plan Association

www.rpa.org

What's Planned for the Far West Side

Overview

The Draft Environmental Impact Statement (DEIS) reviewed in this document analyzes the joint City/State plans for major redevelopment of the Far West Side of Midtown Manhattan. The plans include the following major actions:

Overhaul of the current zoning for an area that extends from West 28th Street on the south to Seventh and Eighth avenues on the east, West 43rd Street on the north, and the Hudson River on the west. The re-zoning would pave the way for a new mixed-use community featuring approximately 28 million square feet of office space, 12 million square feet of residential space, 1.5 million square feet of hotel space and 700,000 square feet of retail space. The zoning includes an open space network and a mid-block boulevard that requires some condemnation of property.

Extension of the #7 subway line west and south, with stations at Tenth Avenue and 41st Street, and Eleventh Avenue and 34th Street.

Expansion of the Jacob Javits Convention Center to add one million square feet of new exhibition space, as well as additional space for meeting rooms, banquet halls and a new 1,500 room hotel.

Construction of a new football stadium and convention facility, referred to as a Multi-Use Facility, with capacity for 75,000 seat stadium events and 180,000 square feet of exhibition space. This space could also be configured as meeting rooms or a 40,000 seat plenary hall.

Siting of infrastructure facilities, including garages for the Department of Sanitation and the NYPD tow pound.

Impacts

The Draft Environmental Impact Statement (DEIS) includes 28 chapters analyzing a wide range of impacts, both positive and negative, that the proposed plans will have on the Far West Side. Any plan of this magnitude will inevitably have a major effect on the economy as well as create significant environmental issues that need to be addressed. For the purpose of this guide, we focus on six key areas: traffic and transit, noise, waste, air quality and hazardous materials, socioeconomic conditions and alternative plans. While the guide (and the DEIS itself) concentrates on potential environmental problems that the actions could create, it is important to also weigh these in the context of the new services, jobs and tax revenues that could result from the plan.

While most people don't think of the Far West Side as very crowded, its proximity to the Midtown business district, the West Side Highway and the Lincoln Tunnel already makes the neighborhood a very congested place. While the adjacent areas are supported by this infrastructure, the Far West Side itself needs significant investments to absorb a high level of density, as the DEIS notes throughout.

The proposals for the Far West Side will thoroughly remake that part of the city, both bringing more traffic and more businesses and residents that will be affected by the traffic. The DEIS paints a very interesting picture of the current level of congestion and projected increases due to the influx of office development and the construction of the Multi-Use Facility.

More than any other section of the DEIS, the traffic analysis rests on a series of assumptions about how many people will live and work in the area, and how they will get there. In particular, the level of traffic expected is directly based on the number of people expected to use mass transit to travel to and through the area. In this case the analysis makes several assumptions that are not certain. For example, the DEIS assumes that the first phase of Second Avenue Subway will be built prior to 2025. If it is not, there are likely to be broad implications for transit usage, traffic and even the likelihood of reaching development projections, although this is not acknowledged in the DEIS. There are a series of other assumptions that support the findings in the DEIS, especially related to stadium events.

There are three major types of transportation impacts in the DEIS that are addressed below: Congestion due to the office and residential development; congestion due to stadium events; and impacts of the entire plan on the transit system.

Congestion Impacts Due to Office and Residential Development

The area is already very congested, with extreme levels of congestion at both morning and evening rush hours. The DEIS identified 48 intersections in the study area with a poor level of service in the morning and 42 intersections for the evening commute. Even during the middle of the day, 38 intersections were identified as overly congested.

The proposed office and residential development more than doubles the number of intersections with significant congestion problems by 2025. The DEIS found 119

intersections would have significant adverse impacts in the morning rush hour, with 135 affected in the evening and 92 during the middle of the day. Congested areas would be spread throughout the area, but most heavily concentrated along 34th Street from 6th Avenue all the way to the Hudson River.

The DEIS predicts that the great majority of these adverse impacts can be mitigated.

By using a combination of "traffic engineering improvements," the DEIS reports that all but eight intersections in the morning and 17 in the evening could be managed to avoid a deficient traffic flow.

Almost every single parking space on the West Side of Midtown will be filled on an average workday in 2025.

The DEIS concludes that all but 19 off-street parking spaces will be taken on a weekday midday if the project is completed.

Stadium Traffic Impacts

In addition to daily traffic conditions caused by the growth of the Far West Side, unusually severe traffic congestion can be expected on days when the football stadium hosts major events. While most football games are held on Sunday afternoons, when traffic is generally somewhat lighter, other events are expected to be held on weeknights, potentially overlapping with normal rush hour traffic.

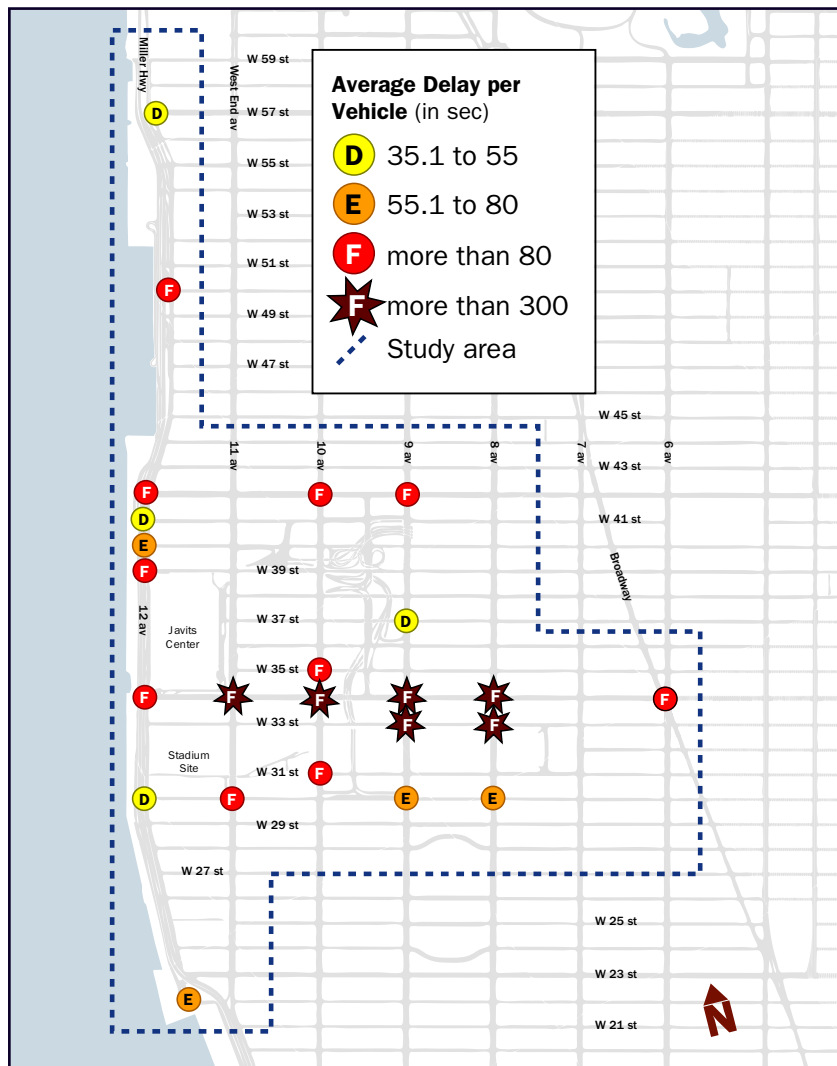
Absent ubiquitous mitigation measures, massive traffic delays can be expected throughout the area before and after stadium events. Weeknight events will adversely impact 26 intersections, while a Sunday event will mean significant delays at 35 intersections. In some cases, delays are considered too long to accurately measure, lasting more than five minutes at key intersections.

Stadium events are expected to use the great majority of parking spaces on the West Side of Midtown.

The DEIS predicts that 91 percent of the off-street parking spaces will be filled in an area that stretches as far south as 21st Street, as far north as 51st Street and as far east as 6th Avenue.

Transit System Impacts

Manhattan's central business district is able to hold so much office and residential space because of the extensive mass transit network that supports it. A major expansion, such as the one proposed for the Far West



Traffic trouble spots for weeknight stadium events (2025)

Side, will put significant strain on the existing system, impacting travel throughout the city. The new district will have to rely not only on the subway system, but also on commuter rail to bring large numbers of people to the area. The DEIS revealed several major impacts of the new development:

The redevelopment will add thousands of daily riders to the transit system, straining the system at up to 38 different points.

The DEIS concludes that the proposed redevelopment would create a deficient level of pedestrian movement (a 'D' or worse on a scale of A to F) at 38 points in the subway system in the morning peak hour and 27 points in the evening. Of these, 21 in the morning and 14 in the evening were considered significant adverse impacts leading to a deficient level of service for subway riders.

The #7 extension will create crowding at the line's existing stops in Manhattan as an increased number of people transfer en route to the Far West Side.

While not stated explicitly in the DEIS, this condition would be dramatically worse at the Grand Central stop without construction of the Second Avenue Subway.

What's Missing?

The DEIS fails to acknowledge that NJTRANSIT capacity into Penn Station is projected to be full by 2009. The DEIS assumes that nearly a quarter of workers on the Far West Side will come from New Jersey, and that thousands of them will come into Penn Station via NJ TRANSIT. This assumption is in direct conflict with NJ TRANSIT's own projections that assume capacity will run out in 2009 and call for construction of a new rail tunnel under the Hudson River.

The DEIS fails to show how a small change in its assumptions will impact its conclusions.

For example, the DEIS assumes an unprecedented level of transit usage for events at the new football stadium, but doesn't reveal the level of traffic that would result if these assumptions prove to be off by even a few percentage points.

The DEIS looked only at intersections individually; it did not consider the compound effect that occurs when one clogged intersection creates traffic jams behind it, sometimes for many blocks.

Noise

New York City is a noisy place. The City's vast concentration of jobs, residents and tourist attractions ensures that someone is making a racket somewhere at all hours of the day and night. In fact, excessive noise is the top complaint received by the City's 311 citizen service hotline, averaging more than 1,000 calls per day. As a result, Mayor Bloomberg recently proposed a comprehensive overhaul of the City's Noise Code to improve quality of life.

It's no surprise that Midtown, representing the leading business district in the country, is one of the noisiest places in the city. To soften the volume that bounces off of the district's high-rise towers, most buildings feature especially thick windows. Dense commercial districts, like Midtown, are expected and allowed to tolerate a high level of noise. Residences and community facilities are held to a higher standard, requiring mitigation at lower levels of noise. Given the level of new development proposed for the Far West Side, similarly significant noise impacts can be expected. The challenge will be to mitigate these impacts to limit the negative effects on the existing community facilities while accommodating the influx of new commercial and residential development.

The DEIS contains the following information on current and projected levels of noise in the redevelopment area:

It's already very noisy on the Far West Side. The West Side Highway and Lincoln Tunnel help make the redevelopment area an already very noisy place. The DEIS studied noise levels at 18 different sites within the neighborhood. Based on this analysis, the study concludes that "the general noise exposure of the entire Project Area can be characterized as Marginally Unacceptable, while the riverfront area along Route 9A has 'Clearly Unacceptable' noise exposure levels." Sixteen of the 18 measured locations reached a "marginally unacceptable" level at some point during the study.

The proposed redevelopment will add some noise, but more significantly will add a tremendous number of businesses and residents requiring noise attenuation. The redevelopment will increase the noise level in almost every location studied. This increased noise would probably not have much of an impact on the existing uses, but the influx of new residents and businesses creates the need for massive mitigation efforts to limit the annoyance to the area's new occupants.

As a result of the existing and new noise in the area, all current and new buildings will be required to have special windows and ventilation systems. The noise levels will be so high that most properties in the area must be designated as extremely noisy and outfitted with extra-thick windows. In addition, indoor ventilation systems will be required so that windows can remain closed at all times. Beyond the inconvenience of being unable to open windows in the district, there will be a significant added cost for the overall redevelopment to install ventilation systems and special windows.

The lengthy construction period will bring an even higher level of noise to the Far West Side. The area is expected to be under construction to some extent for at least the next twenty years, with major projects, such as the subway extension, spanning up to seven years, with construction taking place 6 days per week and up to 24 hours per day. The construction peak is anticipated in 2006, when work is planned to be underway on the convention center expansion, football stadium, public plaza and subway extension. During this period, federal noise limits are expected to be exceeded at points throughout the district.

What's missing?

While the DEIS acknowledges that noise would cause significant adverse impacts during the extended construction period, mitigation measures have not yet been identified to reduce the impacts.

Waste Generation and Disposal

The introduction of tens of thousands of new residents and businesses to the Far West Side will strain the infrastructure systems designed to accommodate the area's population. In addition to the transit system already discussed, the area's waste and sewage systems will be especially affected. Along with economic activity and neighborhood vitality, the new development brings tons and tons of garbage and sewage.

The DEIS examines the amount of new waste that will be generated and begins to address how it would be treated and disposed.

The projected development would generate approximately 266 tons per week of municipal solid waste and 1,044 tons per week of commercial solid waste. The municipal solid waste alone would require 21 truck trips, four shifts per day, two additional collection trucks and 12 additional sanitation workers.

Major events at the stadium and expanded Javits Center would add periodic influxes of tons of waste:

- The Multi-Use Facility at a peak capacity event (75,000 patrons) would result in approximately 11.5 tons of solid waste, and the average weekly volume of solid waste would be an estimated 25 tons.

- A peak event at the expanded convention center would result in approximately 23 tons of solid waste daily, while the typical weekly volume of solid waste will be approximately 58 tons.

Operation of the No. 7 extension would generate approximately 10 tons per week of solid waste.

When complete, the redevelopment will also generate millions of gallons of sewage each day. On a peak day in 2025, the DEIS predicts the Far West Side will generate approximately 8.6 million gallons of waste water, compared to 1.1 million gallons per day in 2003. All of it will be piped to the North River Water Pollution Control Plant in Harlem, which has enough capacity during dry weather, but not during wet weather.

The increased volume of sewage could lead to an increase in sewage and pollutants dumped into the Hudson River when the sewer system overflows. Currently, the sewer system overflows approximately 50 times per year, usually due to wet weather. When it overflows, raw sewage is poured into the Hudson River.

What's Missing?

The DEIS does not reveal how many more sewage overflows will occur as a result of the redevelopment, where the overflows will occur, how much sewage will be released, or the impacts of this sewage on the area of the Hudson River into which it flows.

In addition to analyzing the environmental impacts of the proposed redevelopment, the DEIS also looks at the project's direct and indirect impacts on the existing community and quality of life on the Far West Side. This section of the DEIS notes in great detail the benefits of the plan – revitalization of the area, long-term economic growth, increased open space and new public facilities – but also acknowledges the potential negative impacts of changing a neighborhood so significantly in such a short period of time.

While there's little doubt that the redevelopment would improve the area by "replacing large areas of drab, characterless, underutilized urban landscape," the adjacent residential and commercial areas will be affected by increased noise, traffic and density. The impacts are essentially divided into two types: displacement of current businesses and residents, and adverse effects on the character of the neighborhood for those that remain. Finally, the DEIS considers the demands that the influx of development will bring on the city services provided to the neighborhood.

Economic Benefits

The DEIS predicts that 203,357 jobs and more than \$2 billion in annual tax revenues will be created by the development. These are largely the result of the new workers that would fill the 28 million square feet of office space. However, this development is likely to occur over several decades and its timing is difficult to predict.

The Multi-Use Facility is projected to create 6,900 direct and indirect jobs and \$72.5 million in annual tax revenues. However, an independent analysis by the New York City Independent Budget Office estimated that the facility would create about half as many jobs and less tax revenue even in the best case scenario.

Displacement

Up to 225 private businesses and an estimated 4,269 private employees will be displaced to allow for the redevelopment. According to the DEIS, these displacements would be caused by condemnations related to the major infrastructure projects – subway extension, Javits expansion and mid-block boulevard – and build-out of the projected development sites. The DEIS concludes that the lost employment would be far lower than the new employment expected from the development and that "the displaced businesses do not collectively represent substantial economic value to the City."

85 housing units would be directly displaced in ten residential buildings by 2025.

Great pains were taken in designing the Far West Side plan to limit condemnation of existing housing, and the DEIS confirms that only a small number of residents will be directly displaced.

According to the DEIS, market-rate rents in the study area are already too expensive for low- and moderate-income households, and those that remain in the area must rely on subsidies. The Far West Side "has become more affluent at a faster rate" than Manhattan. As a result, the DEIS concludes that the proposed redevelopment will not "have significant indirect displacement impacts."

Impacts on Neighborhood Character

As the DEIS observes, the areas surrounding the study area – Chelsea, Clinton and Hell's Kitchen most notably – "contain a dynamic mix of uses and densities." A redevelopment on such a grand scale threatens to alter these neighborhoods as well, and the DEIS examines that possibility.

The DEIS concludes that by improving the study area, the proposed development would have largely positive impacts on the surrounding areas. This is the least quantitative area of the EIS, as neighborhood character is often difficult to define.

Demands on City Services

The support services that the City provides on the Far West Side are currently designed to meet the area's relatively small population of residents and workers. The redevelopment will require a variety of new City services:

The project will consume 309 megawatts of electricity, enough to require a new medium-sized power plant. No site has been identified for this plant, nor for the two new electric substations that will be needed.

The consumption of New York City drinking water in the district will go from 1.1 million gallons per day to 8.6, except that during peak air conditioning days it will go to 13.1 million gallons per day. New water mains may be needed, but no costs are furnished.

Other community facilities, such as a fire house and new school, will be needed. No sites have been identified for these facilities.

Air Quality/Hazardous Materials

One of the central functions of the DEIS is to determine whether the proposed plan would pose any health risks, generally due to poor air quality or hazardous materials in the area.

There are 99 sites in the study area that are suspected of contamination. Ninety-nine sites have been designated as contaminated due to the potential presence of hazardous materials. This designation requires the property owners to decontaminate the sites before construction can begin. While this is designed to guarantee that people in the area are not exposed to hazardous materials, it also adds tremendous expense to the cost of developing the district, and it makes it much more difficult for the property owners to sell, redevelop, or insure their holdings.

The DEIS reveals significant adverse air quality impacts, both during construction and operation, that are only partly mitigated. In particular:

- The analysis shows that at several locations, health-based air pollution standards or guidance values will be exceeded or existing exceedances will be worsened. The DEIS says that it expects that further analysis will resolve these problems.

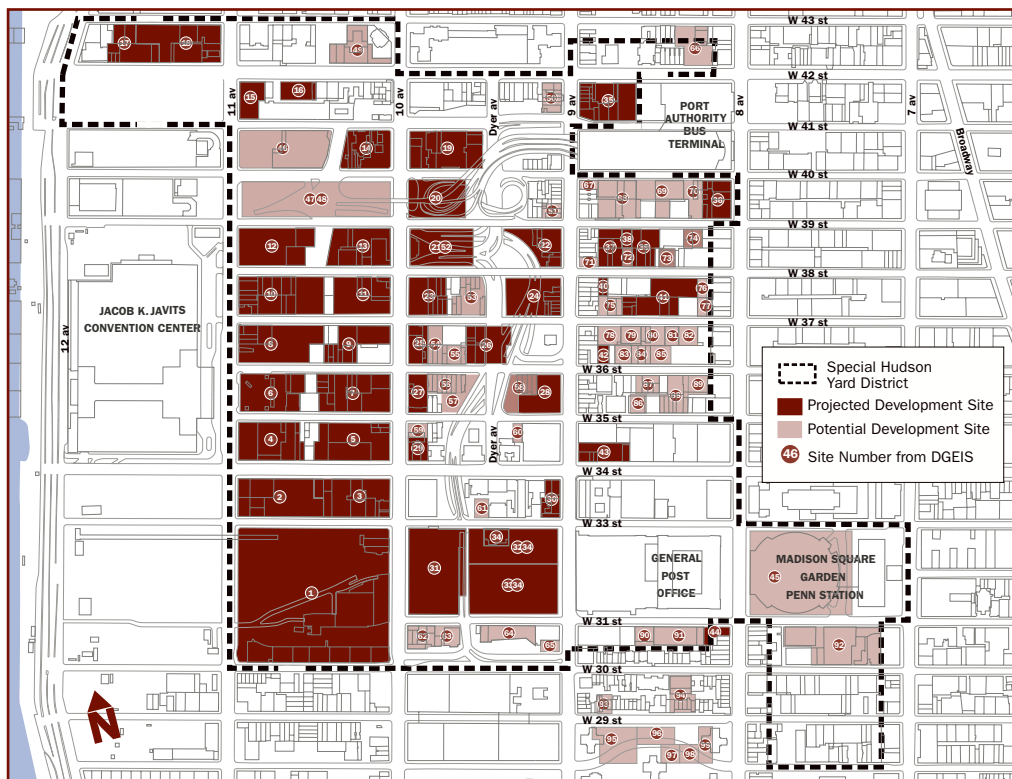
- Twenty-six commercial development lots are in such close proximity to existing sources of air pollution that buildings will be required to have inoperable windows and no air intakes.

- During construction, the levels of some air pollutants will double or triple. For example, the level of one pollutant, PM₁₀, measured over a 24-hour period at the sidewalk, would go from 48.3 ppm to 145.6 ppm. **Even with proposed mitigation, the level of these pollutants would go up as much as 75%, exceeding federal regulations in the case of another pollutant, PM_{2.5}.**

What's missing?

The DEIS fails to consider the cumulative impacts of simultaneous heavy construction in Lower Manhattan and on the Far West Side. Both sites are expected to be in their peak construction periods starting in 2006.

On multiple occasions, the DEIS notes potential adverse impacts on air quality but concludes that further study will show that these impacts are not significant. Without these studies, it is difficult for the public and elected officials to understand the true impact of the proposed redevelopment.



99 sites suspected of contamination by hazardous materials

Alternatives

One of the main functions of the DEIS is to determine whether there are other alternatives that could accomplish the project's overall goals with fewer negative impacts. As the Far West Side has been studied for redevelopment extensively over the past decade, there were several alternative plans designed and available for easy comparison. The DEIS examines 18 alternatives, ranging from doing nothing on the Far West Side to just making minor changes in the zoning or transportation plans to adopting an entirely different plan for the area.

The alternatives studied include:

Manhattan Borough President's Plan:

In 2001, Manhattan Borough President C. Virginia Fields prepared a plan for most of the Far West Side. The plan included expansion of the Javits Center, extension of the #7 train and decking over the rail yards, but did not include a football stadium or the level of commercial development proposed by the City.

Hell's Kitchen Neighborhood Association

Plan: In 2003, community group Hell's Kitchen Neighborhood Association (HKNA) designed an alternative plan for the area. The plan included the same amount of development as the City's plan, but expanded the convention center to the south (instead of to the north) and did not include the football stadium. As a result, the density was distributed differently, with significant development at the edges of the stadium site.

City/State Plan without Development of Multi-Use Facility:

Due to significant opposition to the football stadium, the DEIS looks at an alternative that moves ahead with everything in the plan except the stadium. The DEIS assumes that the rail yard remains open, and that nothing is built in place of the stadium.

City/State Plan With a Deck over Route 9A:

While images of the Multi-Use Facility shown publicly by the City and the Jets include a public park extending over the highway, this deck is not included as part of the official plan studied in the DEIS. The deck is considered separately because it would require additional governmental approvals that could delay the entire project. This review process calls into question whether the park will actually be built if the stadium moves forward.

The DEIS concludes that all of the studied alternatives fall short compared to the proposed redevelopment plan. By defining the project's goals very narrowly, it was almost impossible to meet them without doing exactly what the City and State have proposed. For example, any alternatives that do not include the football stadium were dismissed for failing to meet the project goal of providing a "venue for large-scale entertainment events which New York City is currently unable to host." Given these requirements, the analysis of alternatives does not reveal much new information about the potential benefits of changes to the plan.

What's missing?

The DEIS fails to look at any alternatives for the stadium site within the context of the existing plan. One of the most obvious alternatives has been overlooked entirely in the DEIS – constructing the existing plan with a different use on the stadium site.

Moving Forward

This Guide provides just a small taste of the findings contained in the 4,000 pages of the DEIS. It is clear even from this brief overview that there are many positive and negative impacts associated with a project of this size. The public review process is designed to put as much scrutiny as possible on every aspect of the project to ensure that its impacts are fully understood. Already, the plan has been reviewed by Community Boards 4 and 5. Their decisions can be found at:

www.manhattancb4.org
www.cb5manhattan.org

The plan is currently being reviewed by the Borough President and Borough Board, who are required to provide their input by September 23. At that point, the City Planning Commission has 60 days to review the project, followed by 50 days for the City Council to review and potentially adopt it. There are still plenty of opportunities for interested New Yorkers to weigh in. We hope this guide will be a helpful start to participating in some of the upcoming hearings:

Borough President Public Hearing

September 13, 2004, 6:00 p.m.

Fashion Institute of Technology, HAFT Auditorium, Building C

City Planning Commission Public Hearing

September 23, 2004, 9:00 a.m.

Fashion Institute of Technology, HAFT Auditorium, Building C

City Council Public Hearing

To Be Determined



Regional **Plan** Association
NJ CT NY